

AMENDATORY SECTION (Amending WSR 02-24-013, filed 11/25/02, effective 12/26/02)

WAC 308-93-276 Vessel seller's report of sale. (1) ~~((What is a vessel seller's report of sale? A vessel seller's report of sale is a document or electronic record transaction that protects the seller of a vessel from certain criminal and civil liabilities arising from use of the vessel by another person after the vessel has been sold or a change in ownership has occurred.~~

~~((2)))~~ **Who must file a vessel seller's report of sale?** With the exception of certain vessel transfers by registered Washington vessel dealers, Washington law (RCW 88.02.070 and 46.12.101) requires ~~((submission))~~ filing of a vessel seller's report of sale by any person or business that transfers their interest in a Washington registered/titled vessel to anyone else. For the purposes of this rule, transferring an interest includes, but is not limited to, selling, gifting, trading or disposing of your vessel, but does not include the creation, deletion, or change of a security interest.

~~((3)))~~ **(2) When must a vessel seller's report of sale be filed?** Vessel seller's report of sale must be ~~((submitted))~~ received by the department within five days of the date of sale, gift, trade or other disposition of the vessel, excluding Saturdays, Sundays, and state and federal holidays.

~~((4)))~~ **(3) Who is the seller?** The seller is ~~((the current registered owner of record according to the computer file kept by the department))~~ a person (individual or business) who transfers their right of ownership of a vessel to another person or business.

~~((5))~~ **Why complete and file a vessel seller's report of sale?** ~~It is in the seller's best interest to file the properly completed vessel seller's report of sale to protect the seller in the event the buyer/new owner does not make application for ownership and then accumulates moorage charges, towing charges, or becomes involved in an uninsured accident or used in illegal activity, etc.~~

~~Vessel seller's report of sale received by the department of licensing that are incomplete will be filed with the department; however, those that do not meet the requirements of the law may not protect the seller from any civil or legal action if the vessel is subsequently abandoned or involved in illegal activity.~~

~~((6)))~~ **(4) Who is the purchaser?** The purchaser is ~~((the~~

~~person who bought, received as a gift, obtained through a trade or received a disposed vessel))~~ a person (individual or business) who takes a vessel into their possession, by voluntary acquisition.

~~((7))~~ **(5) How do I file my vessel seller's report of sale?** You may file your seller's report of sale by mailing it to the department.

(6) What information is required on the vessel seller's report of sale? You are required to provide the following information:

- (a) The date of the sale or transfer;
- (b) Name(s) and address of seller;
- (c) Name(s) and address of transferee (buyer);
- (d) Description of vessel including:
 - (i) Vessel hull identification number; and
 - (ii) Vessel registration number.

~~((8) How do I file my vessel seller's report of sale?~~ You may file your seller's report of sale in the following ways:

- ~~(a) Through your local vehicle licensing office;~~
- ~~(b) Mail it to the department.~~

~~(9) Is there a fee for recording a vessel seller's report of sale?~~ Yes. It applies when a report of sale is filed through your local vehicle licensing office as authorized by RCW 46.01.140 (5)(b).

~~((10))~~ **(7) May a vessel seller's report of sale be removed from my vessel record?** Yes. As a registered owner, you may have a vessel seller's report of sale removed ~~((from your vessel record through your local vehicle licensing office, or))~~ by notifying the department in writing. You will need to provide the reason you are removing the report of sale ~~((from your vessel record))~~.

~~((11))~~ **(8) How will I ((prove)) show that I filed a vessel seller's report of sale?** ~~((When you file a vessel seller's report of sale at any Washington vehicle licensing office, you will be provided with a receipt showing:~~

- ~~(a) Date the report of sale was filed;~~
- ~~(b) Description of vessel;~~
- ~~(c) Name and address of agent/subagent where filed;~~
- ~~(d) Date of sale;~~
- ~~(e) Purchase price;~~
- ~~(f) Name(s) and address of seller;~~
- ~~(g) Name(s) and address of transferee (buyer).~~

~~When you mail a vessel seller's report of sale to the department you will not receive a confirmation or receipt. You may wish to make a photocopy of the report of sale for your records prior to sending it to the department.))~~ To obtain a copy of the filed seller's report of sale, you must contact the department.

Washington law makes it clear that it is a felony to

knowingly make a false statement of fact. The penalty, upon conviction, shall be a fine of not more than five thousand dollars or imprisonment of not more than ten years, or both the fine and imprisonment. (RCW 46.12.210.)